

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMIR EDMONDS	:	CIVIL ACTION
	:	
v.	:	NO. 20-6161
	:	
MARK CAPOZZA, et al.	:	

ORDER

AND NOW, this 16th day of February 2022, upon careful and independent consideration of Jamir Edmonds' Petition for writ of habeas corpus under 28 U.S.C. § 2254 (ECF Doc. No. 1), the Commonwealth's Response (ECF Doc. No. 7), Mr. Edmonds's Reply (ECF Doc. No. 14), Judge Reid's Report and Recommendation (ECF Doc. No. 16), Mr. Edmonds's Objections to Judge Reid's Report and Recommendation raising, for the first time, a challenge of ineffective assistance of counsel relating to trial counsel's alleged failure to adduce statistical evidence contrary to the state court findings concerning fair-cross-section of the County in the jury pool (ECF Doc. No. 19), our Order directing Mr. Edmonds to show cause as to how his newly raised ineffective assistance of counsel claim is not time barred (ECF Doc. No. 21), Mr. Edmonds' response to our show cause Order (ECF Doc. No. 22), the Commonwealth's response (ECF Doc. No. 25), and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. We **OVERRULE** Mr. Edmonds' objections to Judge Reid's Report and Recommendation (ECF Doc. No. 19);
2. We **DENY** and **DISMISS** the Petition for writ of habeas corpus (ECF Doc. No. 1) with prejudice;
3. We **APPROVE and ADOPT** Judge Reid's Report and Recommendation (ECF Doc. No. 16);

4. We find no basis for a certificate of appealability; and
5. The Clerk of the Court shall **CLOSE** this case.


KEARNEY, J.